

# House of Representatives

## Chamber Action

**Bills Introduced:** Fourteen public bills, H.R. 857–870; one private bill, H.R. 871; and four resolutions, H.J. Res. 68 and H. Res. 64–66, were introduced.

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**Reports Filed:** The following reports were filed as follows:

H.R. 729, to control crime by a more effective death penalty, amended (H. Rept. 104–23);

H.R. 728, to control crime by providing law enforcement block grants, amended (H. Rept. 104–24); and

H. Res. 63, providing for the consideration of H.R. 667, to control crime by incarcerating violent criminals (H. Rept. 104–25).

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**Journal:** By a yea-and-nay vote of 346 yeas to 69 nays with a 1 voting “present”, Roll No. 100, the House approved the Journal of Tuesday, February 7.

Pages H1375–76

**Exclusionary Rule Reform:** By a recorded vote of 289 ayes to 142 noes, Roll No. 103, the House passed H.R. 666, to control crime by exclusionary rule reform.

Pages H1380–H1400

Agreed To:

The Volkmer amendment that exempts searches and seizures carried out by or under the authority of the Bureau of Alcohol, Tobacco and Firearms from the relaxation of the exclusionary rule (agreed to by a recorded vote of 228 ayes to 198 noes with 3 voting “present”, Roll No. 101). Earlier, a Conyers amendment was offered but subsequently withdrawn that contained identical provisions;

Pages H1386–90

The Traficant amendment that exempts searches or seizures carried out by or under the authority of the Internal Revenue Service from the relaxation of the exclusionary rule; and

Pages H1390–93

The Fields of Louisiana amendment, as amended by the McCollum substitute, that provides that none of the provisions shall be construed so as to violate the fourth article to the Constitution.

Pages H1393–96

Rejected the Serrano amendment that sought to exempt searches or seizures carried out by or under the authority of the Immigration and Naturalization Service (rejected by a recorded vote of 103 ayes to 330 noes, Roll No. 102).

Pages H1396–98

**Effective Death Penalty:** By a recorded vote of 297 ayes to 132 noes, Roll No. 109, the House passed H.R. 729, to control crime by a more effective death penalty.

Pages H1400–34

Agreed to the committee amendment in the nature of a substitute.

Pages H1403–06, H1433

Agreed To:

The McCollum technical amendment; Page H1406

The Cox amendment that establishes a rule of deference to State courts so that Federal judges who are entertaining habeas corpus petitions from State inmates would be required to consider whether the claimant received a full and fair adjudication of their complaint (agreed to by a recorded vote of 291 ayes to 140 noes, Roll No. 106); and

Pages H1424–28

The Smith of Texas amendment that provides that the automatic stay of execution provisions will terminate upon completion of State court review unless the petitioner has made a substantial showing of the denial of a Federal right (agreed to by a recorded vote of 241 ayes to 189 noes, Roll No. 108).

Pages H1430–33

Rejected:

The Schumer amendment that sought to encourage States to provide competent counsel in death penalty cases during the initial trial phase (rejected by a recorded vote of 149 ayes to 282 noes, Roll No. 104);

Pages H1406–09

The Watt of North Carolina amendment that sought to permit State prisoners sentenced to death or to prison to file a second Federal habeas petition if it is shown, through newly discovered evidence, that the person was innocent and probably would have been acquitted had the evidence been presented at trial (rejected by a recorded vote of 151 ayes to 280 noes, Roll No. 105); and

Pages H1409–23

The Fields of Louisiana amendment that sought to add language to permit juries, in certain circumstances where the bill now requires the death penalty, to recommend a sentence of death or of life imprisonment without the possibility of release (rejected by a recorded vote of 139 ayes to 291 noes, Roll No. 107).

Pages H1428–30

The Clerk was authorized to make such clerical and technical amendments as may be required in the engrossment of H.R. 665, H.R. 666, and H.R. 729.

Page H1434

**Presidential Messages:** Read the following messages from the President:

**Iraqi emergency:** Message wherein he reports on the developments since his last report concerning the national emergency with respect to Iraq—referred to the Committee on International Relations and ordered printed (H. Doc. 104–29);

Pages H1434–36

**Andean trade:** Message wherein he transmits the first report on the operation of the Andean Trade Preference Act—referred to the Committee on Ways and Means; and

Page H1436

**Baseball dispute resolution:** Message wherein he transmits proposed legislation entitled the "Major League Baseball Restoration Act"—referred to the Committee on Economic and Educational Opportunities and ordered printed (H. Doc. 104-30).

Page H1436

**Committees To Sit:** It was made in order for the following committees and their subcommittees to sit during the proceedings of the House under the 5-minute rule on Thursday, February 9: Committees on Agriculture, Banking and Financial Services, Commerce, Economic and Educational Opportunities, International Relations, Resources, Transportation and Infrastructure, and Veterans' Affairs.

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**Amendments Ordered Printed:** Amendments ordered printed pursuant to the rule appear on pages H1461-65.

**Quorum Calls—Votes:** One yea-and-nay vote and nine recorded votes developed during the proceedings of the House today and appear on pages H1375-76, H1389-90, H1398, H1399-H1400, H1409, H1423-24, H1427-28, H1430, H1432-33, and H1433-34. There were no quorum calls.

**Adjournment:** Met at 11 a.m. and adjourned at 11:41 p.m.

## Committee Meetings

### REFORMING THE PRESENT WELFARE SYSTEM

*Committee on Agriculture:* Subcommittee on Department Operations, Nutrition and Foreign Agriculture continued hearings on reforming the present welfare system. Testimony was heard from Representative Castle; Ellen Haas, Under Secretary, Food, Nutrition, and Consumer Services, USDA; Mary Jo Bane, Assistant Secretary, Children and Families, Department of Health and Human Services; Thomas Eichler, Secretary, Department of Services for Children, Youth, and Their Families, State of Delaware; and public witnesses.

Hearings continue tomorrow.

### TRANSPORTATION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Transportation held a hearing on the National Transportation Safety Board. Testimony was heard from James Hall, Chairman, National Transportation Safety Board.

### JOB CREATION AND WAGE ENHANCEMENT ACT

*Committee on Commerce:* Began markup of Title III, Risk Assessment and Cost/Benefit Analysis for New

Regulations of H.R. 9, Job Creation and Wage Enhancement Act.

### OVERSIGHT

*Committee on Commerce:* Subcommittee on Energy and Power held an oversight hearing on the Department of Energy's proposed budget for fiscal year 1996. Testimony was heard from Hazel R. O'Leary, Secretary of Energy.

### REMOVING IMPEDIMENTS TO EMPLOYEE PARTICIPATION/ELECTROMATION

*Committee on Economic and Educational Opportunities:* Subcommittee on Employer-Employee Relations held a hearing on Removing Impediments to Employee Participation/Electromotion. Testimony was heard from Representative Gunderson; and public witnesses.

### PAPERWORK REDUCTION ACT; REGULATORY TRANSITION ACT

*Committee on Government Reform and Oversight:* Subcommittee on National Growth, Natural Resources and Regulatory Affairs approved for full Committee action the following bills: H.R. 830, Paperwork Reduction Act of 1995; and H.R. 450, amended, Regulatory Transition Act of 1995.

### COMMITTEE BUSINESS

*Committee on House Oversight:* Met to consider pending business.

### FOREIGN RELATIONS AUTHORIZATION

*Committee on International Relations:* Subcommittee on International Operations and Human Rights continued hearings on 1996-97 Foreign Relations Authorization: International Organizations, Conferences, and Commissions. Testimony was heard from the following officials of the Department of State: Madeleine K. Albright, Permanent U.S. Representative to the United Nations; and Douglas J. Bennet, Assistant Secretary, International Organization Affairs.

### OVERSIGHT; COMMITTEE ORGANIZATION

*Committee on the Judiciary:* Subcommittee on Immigration and Claims held an oversight hearing on the management practices of the Immigration and Naturalization Service. Testimony was heard from Laurie Ekstrand, Associate Director, Administration of Justice Issues, General Government Division, GAO; and Chris Sale, Deputy Commissioner, Immigration and Naturalization Service, Department of Justice.

Prior to the hearing, the Subcommittee met for organizational purposes.